

### REMARKS

In view of the issuance of the parent U.S. Patent 6,444,667 and allowance of its first divisional U.S. Serial No. 10/196,873, Applicants hereby offer preliminary amendments to the present application.

Applicants have canceled Claims 1-5 in favor of replacement Claims 6-14 to limit the claimed subject matter to specific embodiments that must contain mixtures of spinosyn A and spinosyn D (as set forth in Applicants' specification at page 7, lines 1-14) and specific compounds of the second component (as set forth at pages 17-19). Compare, for example, the claims of the issued parent U.S. Patent 6,444,667, with respect to which the present claims are a narrower subset. Applicants note that Claim 7 is directed to a preferred embodiment containing a spinosyn mixture known as spinosad (as described in Applicants' specification at page 7, lines 6-9). Test results for compositions within the scope of the new claims, except for compositions containing the compound of formula (III i), are specifically set forth in the specification in the Table at page 40 (as amended; see above). Applicants respectfully submit that the claims are fully supported in the specification.

Applicants have amended the specification to insert a statement of priority, to include customary headers, and to remove redundant information from the Table at page 40. Applicants submit that these amendments serve only to clarify their disclosure and do not materially alter its scope.

In view of the preceding amendments and remarks, allowance of the claims is respectfully requested.

Respectfully submitted,

Bayer CropScience LP  
100 Bayer Road  
Pittsburgh, Pennsylvania 15205-9741  
PHONE: (412) 777-3809  
FACSIMILE PHONE NUMBER:  
412-777-3902  
s/rmc/reih/0289

By Richard E. L. Henderson  
Richard E. L. Henderson  
Attorney for Applicants  
Reg. No. 31,619